

Exhibit A

Yuzek, Dean G.

From: Julia Klein <jklein@kleinlegalgroup.com>
Sent: Monday, November 30, 2020 4:04 PM
To: Goettig, Michael; Yuzek, Dean G.; Zuckerman, Lyle
Cc: Zourigui, Jennifer B.; Grannis, Amanda
Subject: RE: 2020-11-30 draft ltr DGY to Hon. S Cave

OK – I will alert the Court that we have not been able to reach an agreement on the terms of the tolling agreement.

From: Goettig, Michael <MichaelGoettig@dwt.com>
Sent: Monday, November 30, 2020 4:00 PM
To: Julia Klein <jklein@kleinlegalgroup.com>; Yuzek, Dean G. <DYuzek@ingramllp.com>; Zuckerman, Lyle <LyleZuckerman@dwt.com>
Cc: Zourigui, Jennifer B. <jzourigui@ingramllp.com>; Grannis, Amanda <agrannis@ingramllp.com>
Subject: RE: 2020-11-30 draft ltr DGY to Hon. S Cave

Julia,

The process issue has been mooted by Magistrate Judge Cave's scheduling order of November 20, 2020.

Conditioning a tolling agreement on a waiver of the Contractor Defendants' rights under their agreements with certain third parties was never a part of this discussion – nor are your last-minute attempts to do so appropriate. Had that been a topic of discussion, Contractor Defendants would have unequivocally rejected the proposal. With that said, Contractor Defendants remain amenable to tolling the potential opt-in plaintiffs' claims, limited to the terms discussed before the Court on November 20. We will advise the Court accordingly.

Mike

Michael Goettig | Davis Wright Tremaine LLP
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Anchorage | Bellevue | Los Angeles | New York | Portland | San Francisco | Seattle | Washington, D.C.



My colleagues at DWT and I are working remotely in the interest of personal and public health. However, we continue to provide responsive service to our clients. You can find all of our COVID-19 resources at www.dwt.com/COVID-19.

From: Julia Klein <jklein@kleinlegalgroup.com>
Sent: Monday, November 30, 2020 3:52 PM
To: Yuzek, Dean G. <DYuzek@ingramllp.com>; Zuckerman, Lyle <LyleZuckerman@dwt.com>; Goettig, Michael

<MichaelGoettig@dwt.com>

Cc: Zourigui, Jennifer B. <jzourigui@ingramllp.com>; Grannis, Amanda <agrannis@ingramllp.com>

Subject: RE: 2020-11-30 draft ltr DGY to Hon. S Cave

[EXTERNAL]

Hi Lyle and Michael:

I don't mean to be pushy, but since we owe the Court a response today, can you please let us know your thoughts.

From: Yuzek, Dean G. <DYuzek@ingramllp.com>

Sent: Monday, November 30, 2020 1:40 PM

To: Julia Klein <jklein@kleinlegalgroup.com>; Zuckerman, Lyle <LyleZuckerman@dwt.com>; Goettig, Michael <MichaelGoettig@dwt.com>

Cc: Zourigui, Jennifer B. <jzourigui@ingramllp.com>; Grannis, Amanda <agrannis@ingramllp.com>

Subject: RE: 2020-11-30 draft ltr DGY to Hon. S Cave

I will see where you and they end up but an ability to reach a tolling agreement seems doubtful at this point.

Dean G. Yuzek | Partner

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From: Julia Klein <jklein@kleinlegalgroup.com>

Sent: Monday, November 30, 2020 1:32 PM

To: Yuzek, Dean G. <DYuzek@ingramllp.com>; Zuckerman, Lyle <LyleZuckerman@dwt.com>; Goettig, Michael <MichaelGoettig@dwt.com>

Cc: Zourigui, Jennifer B. <jzourigui@ingramllp.com>; Grannis, Amanda <agrannis@ingramllp.com>

Subject: RE: 2020-11-30 draft ltr DGY to Hon. S Cave

Hi Dean:

I have no present intention to terminate the tolling agreement, even with the understanding that you are planning to file a motion for summary judgment.

That said, if the Contractor Defendants plan on filing counter/cross claims against my clients (or their entities) and/or continue to persist with their baseless claims for invalid service of process, then, I need to file the motion. If the Contractor Defendants will agree to stipulate to accept service of process and not engage in retaliatory conduct by claiming against Plaintiffs/opt-ins, I'd be happy to strike the termination provision.

Julia H. Klein

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From: Yuzek, Dean G. <DYuzek@ingramllp.com>
Sent: Monday, November 30, 2020 12:58 PM
To: Julia Klein <jklein@kleinlegalgroup.com>; Zuckerman, Lyle <LyleZuckerman@dwt.com>; Goettig, Michael <MichaelGoettig@dwt.com>
Cc: Zourigui, Jennifer B. <jzourigui@ingramllp.com>; Grannis, Amanda <agrannis@ingramllp.com>
Subject: RE: 2020-11-30 draft ltr DGY to Hon. S Cave

Julia, I am not going to enter into a tolling agreement if you can just turn around and terminate it at any time. If you are not prepared to abide the filing and determination of defendants' motions, contemplated in Magistrate Judge Cave's Scheduling Order, before you move for conditional certification, then, for my part, you may as well go ahead and make your motion. You can advise MJ Cave that you are unable to reach an agreement with all parties. Dean.

Dean G. Yuzek | Partner

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From: Julia Klein <jklein@kleinlegalgroup.com>
Sent: Monday, November 30, 2020 12:47 PM
To: Yuzek, Dean G. <DYuzek@ingramllp.com>; Zuckerman, Lyle <LyleZuckerman@dwt.com>; Goettig, Michael <MichaelGoettig@dwt.com>
Cc: Zourigui, Jennifer B. <jzourigui@ingramllp.com>; Grannis, Amanda <agrannis@ingramllp.com>
Subject: RE: 2020-11-30 draft ltr DGY to Hon. S Cave

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Thanks, Dean. Attached please find some minor comments to the letter. Julia

From: Yuzek, Dean G. <DYuzek@ingramllp.com>

Sent: Monday, November 30, 2020 9:14 AM

To: Julia Klein <jklein@kleinlegalgroup.com>; Zuckerman, Lyle <LyleZuckerman@dwt.com>; Goettig, Michael <MichaelGoettig@dwt.com>

Cc: Zourigui, Jennifer B. <jzourigui@ingramllp.com>; Grannis, Amanda <agrannis@ingramllp.com>

Subject: 2020-11-30 draft ltr DGY to Hon. S Cave

All, please see the attached draft letter to Magistrate Judge Cave regarding a tolling agreement which would defer plaintiffs' motion for conditional collective action certification until defendants' answers and/or motions, referred to in MJ Cave's Scheduling Order, have been filed in accordance with the Order and determined by the Court. Please let me know if the letter is satisfactory, in which event I will e-file it later today. Julia, if the letter as drafted is not satisfactory to you or the co-defendants, or if I don't hear back from you, then I will leave it to you to advise MJ Cave by COB today that we are unable to reach an agreement. Regards, Dean.

Dean G. Yuzek | Partner

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